[illegible] 9/93

G. R. S. IX-5]

Previous references.

1887-88
182
(R. Ms)

File No 35/87

Serial Nos 1 - 14

Later reference

File No 12/91

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 - 14

[illegible] **Part-B for** [illegible]

SUBJECT.

Appeal of Narasimiah Shanbhogue in connection with the Shanbhogi Office of [illegible] [illegible] Hagari

---

[illegible]

Shimoga Dy Commr's
No 640/607 d 26 January 1888
Submitting the entire
Records connected with
the Shanbogi of Karûr
Nâdwâd, Sagar Taluk

× 1 Avadi
2 Tiruvase
3. Valagere
4. Herekere
5. Hebbur
6. Sirugalathe
7 Chemadi
8. Theppige

The Shanbogship of Kadur Nadwad in the Sagar Taluk consisted of eight villages and was held by one Ramaiya. As he and his younger brother Pootappa who was looking after the work as Gumasta, became old and worn out and as neither of them had any male issue the question as to the succession to the Shanbogship came before the then Dy. Comr. Col: Hill and that Officer passed an +order to the following effect that each of the brothers was entitled to half a share, that both of them having divided among themselves were living separately, that the division made by Samaiya was fair & just and that the Shanbogship should be divided between the grandsons (daughter's sons) of each of the brothers and they be appointed to 4 villages each. Col: Hill also ordered that till the grandsons

+No 7.1.7 9-12.78

& who were minors attained their age the work might be carried on by Gumastas recommended by the Amildar

2. Samaiya claimed* for the share of his grandson the villages of Awade Tiruvane, Valagere and Harekere on the ground that they form the 17 villages which had fallen to his share in the Karar executed between himself and his brother before the Survey operations and the extent and the revenue of the 8 villages amounted to 14741 Acres and 14471 Rupees respectively and of which the 4 villages claimed by Samaiya have

*Amildars Report of 10 July 1879.

Nos 1 to 21

8741 acres yielding a revenue of Rs 8555. To this division his brother Poolappa objected.

3. Subsequently Samaiya was willing to relinquish his claim to a share in the Shanbogship in favor of the daughter's son of his brother Poolappa on certain conditions and these conditions not having been fulfilled the question again became the subject of enquiry and Samaiya died on 12 May 1880.

4. Mr B. G. Krishna Iyenga, the Asst Commr before whom these papers went up

recommended on the 4 Feb. 1881 to the Dy. Comr. in the following terms

" It is admitted and proved that Samaiya and Pootappa were divided brothers. Altho Samaiya had consented to resign his right to the Shanboge of 4 villages in the Karoor Magani of the Sagar Taluk in favor of his brother Pootappa on certain conditions, this agreement has not been carried out. Samaiya refused to abide by the proposed agreement as his brother Pootappa had not conformed to its terms. That

"shortly before his death
"Samaiya requested
"that his daughter's adop-
"ted son Narasimmaiya
"may be nominated Shan-
"bog of the four villages
"that had fallen to his
"share. Poolappa objects
"to this on the grounds
"that he is more nearly
"related to the deceased
"than Narasimmaiya
"and that the latter has
"not been duly adopted
"by Samaiya's daughter.

"On the other hand
"both the adoptive mother
"Gauramma alias
"Kadamma, daughter

"of deceased Samaiya and
"Narasimmiah's grand
"father (paternal) assert
"that the adoption has
"taken place."

"I believe that the
"adoption has taken
"place. As Samaiya &
"Pootappa are divided
"brothers, the daughter
"has a preferential
"claim to the deceased's
"property. Gowrammah
"being a woman cannot
"be appointed to the
"Shanbogee and so her
"adopted son Nara:
"simmaiya may be
"nominated Shanbogue,
"agoomasta being ap:
"pointed to do duty
during

"during his minority."

"The remaining four
"villages of the said
"Magani which have
"fallen to the share
"of Podlappa may be
"registered in the name
"of his grandson Soon
"dappa so requested
"by Podlappa. Soondappa
"is qualified for the
"post."

5. This having been
approved of by the D.
Comr. on 8-3-81 the
Amildar of Nag[a]r
reported that Sadamma "No 13967 22-1-82"
alias Gowramma and
her father-in-law
Mahadevappa have
had

had selected one Pijadi Narenappa for the Gumastaship during the minority of Narasimmiah and that this Gumastah was an experienced man having previously held a similar post in the Magni of Agrinjie.

(6) The Dy Commr communicated his approval in his No 982 of 2d Feb. 1882.

(7) This arrangement continued for some years and in 1886 Gowramma addressed a petition to the Dy Commr stating that she came to know that in the settlement

x of 2-3-86

of the permanent remuneration it was in contemplation to regulate only 2 out of the 4 villages now in the name of his adopted son Narasimmiah and to appoint another for the remaining two villages. Against this arrangement Gauramma has protested.

8. A notice having been served on her to appear in person and represent her case she again addressed a petition to the Deputy Commissioner to say that she was sick and represented that in case of the 4 villages then in the name of Narasimmaiya being divided

9 / / 86

11 into 2 pattas one of them might be registered in the name of Narasimmiah and the other in her name and that she would select competent Gumastas for both the pattas

9. In the Potgi Register the 3 villages of Hebbur, Seragalathe & Valagere were conferred on Goondappa, Avaide & Cimmode on Minor Narasimmiah, Penbiah being appointed Goomasta for 5 years and for the remaining three villages Goondappa & Narasimmiah were appointed as joint Inamdars and the Dy Comr adds that "Shammana was appointed Gumasta as requested by them" i.e.

Nos 5, 6 & 3 to Goondappa

Nos 1 & 2 to Narasimmaiya

Nos 4, 7 & 8 to Narasimmaiya & Goondappa jointly i.e. Goondappa and Narasimmiah.

10. Venkamma, the mother of Narasimiah in her petition dated 12 June 1887 to the address of the Dy. Comr. stated that by the above arrangement Narasimmiah will suffer great loss

11. On the 19 July 1887 the ryots & Potails of Hanur Nadwad and Brahmanwad peti-tioned to the Amildar of Sagar protesting against the re-appoint-ment of Naranappa as Gumastah on the ground that he was not of good character.

4

No 435 d 11.8.87

43 12. Mr. B. Thirumalachari in passing orders observed that as the Patti was settled only a short time previous it was not possible to remove the Gumastahs and that the period of 5 years for which they were appointed had not expired, that the person whom the petitioner desired to retain as Gumasta did not bear a good character and directed that the orders passed during the Settlement of the permanent remuneration should be carried out.

13.

13. Against this decision Gauramma, the adoptive mother of Narasimiah nd Sankarappa, the husband of the sister f Gauramma now ppeal to this Office n the following grounds

1. That Narasimmiah s the huckdar to the Shanbogship of all the 4 villages of Arade, Tiruvale, Valageri and Herakere in the Harur-Nadwad Magani.

2. That during the ettlement of the perma-nent remuneration in 1886 instead of dividing the above

villages which had fallen to the share of Narasimiah into one or even two circles, these villages were ~ divided into 3 circles depriving Narasimiah of his huck to the village of Valagere and making it over to Goondappa while another village viz Herekere, which had also fallen to the share of Nara=simiah had been registered jointly in the names of Goondapa and Narasimiah and that a Gumasta by the name of Sambiah had been appointed by the Government for 5 years even without consulting the petitioners and that by these arrangements minor Narasimiah & the petitioners suffer great loss.

14. Under these circumstances the petitioners pray that

I. All the 4 villages of Avade, Tirunake, Valagere and Herkere be registered in the name of Narasimiah or formed into two circles, Narasimiah being appointed for one & his brother Krishnappa to the other

II

17 II. That in the interests of Narasimiah and that of his adoptive mother Gowramma, a Gumasta whom they would select be appointed to carry out the work till Narasimiah attains his age.

14. Subsequent to the receipt of the records from the Dy Commr. Gowramma & Sankarappa submitted a petition to this Office d/ 12 Feb. 1888 in which they enclose a petition addressed by Gowramma to the Dy. Commr. of Shimoga

on 27 July 1886 and the endorsement order passed by the Dy Comr on 21st January 1888. In this order it is stated that the Shanbogs Patti had not been settled and that during the settlement the matters complained of should be represented.

[illegible]

Subd

The order of the Dy Comr dated 21 Jany 1888 is a mistake. The Dy Comr has admitted it. The case is not pending before him: The Bhogra settlement has effected the int. of patty.

R.G.

25/6

19

Appellant – Narasimma (minor)
guardian Sankrappa
& mother Gowramma
By Advocate Mr Subbaraya

Respt. Sambia & Shamamma
(Shanbog Jumastas)
By Advocate Mr D Venkataramaiya

Exd to Petn

The Deputy Commissioner's letter dated
21st January 1888 states
that the question has not
been settled by him.
Petnrs. should appear before
him for his final orders
on the case, against
which they can appeal
if dissatisfied.

27/3/88

Copy to Dy. Commr for
info & early decision
of the case. Papers are
returned.

27/3

endorsed
27/3/88

Appeal No. 2884 / 13 Decr 1887

Appellant.
Sanabhya Narasimhay.

This is an appeal against the order made in the Patgi settlement in 1886.

One Shamanna held the office of Shanbog of 8 × villages & he had a brother who was his gumasta. Neither of them had male issue. In 1878, the Dy Commr ordered that the daughters' sons of each of them should have ~~should have~~ 4 villages. They however quarrelled about the division of the villages & Shamanna died before coming to any settlement. In 1881, the Dy Commr decided that 4 villages of the Karur Maganam should be registered in the name of Narasimhaya, the

×

√ 1 Avadi
√ 2 Iruvasi
+ 3 Volageri
4 Hekkari
+ 5 Halbur
+ 6 Virugalthe
7 Chimadi
8 Shappagi

adopted son of the
daughter of Shamanna
& the other four in the
name of Goondappa
daughter's son of Potappa,
This arrangement
continued till 1886
when in the Patgi Regt
the Dy Comr registered
villages no 3, 5, & 6 in the
name of Goondappa, 1 & 2
in the name of Narasimhaya,
& the rest in the names
of both jointly, gumastas
being appointed for them
as they were minors.
The adoptive mother
of Narasimhaya has
appealed against the
registry & claims to
exercise her choice
in the appointment of
her gumasta. — The
claims the first 4 villages.

22

13

Notice given to
Govt Pleader's [illegible]
25/7/89

Issue
Notice to the parties
Hearing 21st June 1889
May
27/5/89

Intimation given to appt
Respt absent.
adj [illegible]
2/6/89

Petn presented as it stands of [illegible]
appt
Copy of Judgt [illegible]
5/9

5 Sept/89

4712
1441

Appt

22

[illegible]
([illegible])
~~adding~~
[illegible]
Guardian [illegible]

Respt. (10)
[illegible] (dead)
Represented by his
widow [illegible]

Originally the registered Shalkdar Kaniofs of the Karur Narvad Magani of Sagar Tq., were Samanya and his brother Poottappa. The said Magani comprised 8 villages, namely

1 Avadi
2. Kiruvase
3. Volagere
4. Herekere
5. Hebbur
6. Sangalate
7. Chunale
8. Theppige

Both the brothers died sonless. Samanya's daughter Government admitted the present appellant

Narasummah and
Puttiah's daughter
Venkatamma adopted
one Gundappah, the
Respondent, who died
subsequent to the
filing of this appeal
and who is now
represented by his widow
Ramakka.

2 Under an arrange-
ment sanctioned by the
Officer, in 1887, the
first four villages
specified in para 1 were
registered in the name
of Narasummah and
the remaining four in
~~that~~ of Gundappah. During
the Potiye settlement, which
took place in 1886, a
different distribution was
made - Villages No 1 to

were allotted to Narasimmiah and Nos 3, 5 do to Gundappah. The remaining 3 villages, Nos 4, 7 & 8, were regd. in the joint names of both ~~the~~ holders, and the duties they were allowed to be performed by certain Gumastahs (Sambaiah Hanumiah) The present appeal by Narasimmiah is against this settlement. He contends that two of the villages, which belonged to his half, were wrongly transferred to Gundappah, and the widow of the latter, in her petition presented this day, virtually concedes the propriety of the appts' contention. The Government, therefore, direct, ~~that~~ the division of the villages made at the Potgi' settlement be revised according to the original arrangement which appts' guardian Government and Gandigiahs' under Ramulls now ask may be adhered to.

3 The other ground of appeal is that new Gumastahs were appointed during Potgi settlement instead of allowing those already selected by the parties to continue ~~as Gumastahs~~ to perform the duties the purposes connected with the Potgi settlement have not been sent up with the

27

18 Vernacular pro recd with the Dy Commrs No 96/25 d/ 8/4/89 and the contention regarding the Gumashtas, to whom both the parties object, will be referred to the Dy Commr for enquiry and disposal

7/9/89.

To the Dy Commr S.D.
rels V.P.
Endt to applts [illegible] –

19 28 (15)

412
378

Read letter from the Dy Comr Shemoga dated 28 Sept 1889 No 472/378

From the records of the Case, it appears that Gowramma the adoptive mother of the minor Narasimhaya presented the Petition of appeal. An advocate appeared on her behalf, & the appeal from her who is the natural guardian of the minor cannot be ~~thrown out~~ set aside on the ground that the minor & his ~~so called guard~~ so called guardian & natural mother's ~~maternal grand~~ father Chennamallhatt agreed to the arrangement made at the Potigi settlement & repudiate all knowledge of the Petition presented by Gowramma. The decision already passed must therefore be carried out.

The question of the appointment of guardian

Should be disposed of
by the Dt Court after
hearing Gouramma
the adoptive mother & judicial
Guardian of the minor
Narasimhayya —

1/11/04

COURT FEE STAMP

13-12-87

EIGHT ANNAS

COURT FEE

13-12-87

(1)

19/12/87

9202884

R.F. 35-84

[illegible] 1887 [illegible]

[illegible]

[illegible] 1886 [illegible]

[illegible]

[illegible]

No. 653

From the Same No 640/12 D. 20/1/88

33

Mysore Dewan's Office,

PETITION DEPARTMENT.

(2)

L. R. 35-87-2

Official Memorandum.

The accompanying Petition No. 2884, dated 3rd December 1887 received at the Dewan's Office from Thimma Narasimiah and others of Kodumadu Village Sagar Taluk is forwarded, together with its three enclosures, to the Deputy Commissioner Shimoga District for submission of Proceedings.

Draft

BANGALORE,
January 1888.

By Order,
For Acting Secretary.

Mysore Government Press, Bangalore.—5-10-86.—2000.

2/D/125

34

(General Serial No. 29.)

188 8.

7847
2-FEB.88
504

From The Deputy Commissioner
Shimoga District.

(3)

To

The Chief Secretary to the Dewan
of Mysore.

Recd. Chief Secy No. 2987/27th March/88

Dated 26th January
Despatched ~~30th~~ Camp Shikarpur
Received

Enclosures No. 4 with record

General No. 640
or No. 607 } 1887. 88.

in 5 days.

L.R. 35-87-3

Chief Secretary's official memo No. 653 dated 3d Instant calling for the Proceedings regarding the Shanbhôgi of Karûr Nâd-wâd, Sagar Taluk

In returning the petition together with its 3 enclosures received with the above, has the honor to forward herewith the entire Records connected with the case as herein suggested.

Deputy Commissioner
[illegible]

1/
P. 125

56

(General Serial No. 31)

1887 . 8.

28/4/88

9/20 36

Petn
(4)

From

To The Deputy Commr.
Shimoga Distt.

From the Commr. No. 40/44

Dated 27th March 1888.

Despatched

Received

L. R. 35-87-4

Enclosures No.

Camp ~~General~~ No. 2257.
No.

No 2884

[illegible] 38

Mysore Dewan's Office
Dated Mysore 27th March 888

Endorsement (4)

In reply to their petition dated 8th December 887, Thanthoje and Narasimha and others of Sarwad hagni, Sagar Taluk, are informed ~~that the~~ Deputy Commissioner's order dated 21st January 888 states that the question has not been settled by him. Petitioners should appear before him for his final orders on the case, against which they can appeal if dissatisfied. Enclosures are returned.

By Order
(Sd) P. V. Jayendra Row
Chief Secretary

P. T. O.

Camp No 2457-7 27th March 1888

Copy forwarded to the Dy. Commr. Shimoga District, for information with reference to his No 6166/601 d/ 20th January 1888, and early decision of the case. Vernacular papers are returned.

By order

Draft

Chief Secretary

(General Serial No. 31.)

632

1888

27

From The Deputy Commissioner Shimoga Dt.

(5)

To

The Chief Secretary to the Dewan
of Mysore.

Dated 20th April

Despatched

Received

Enclosures No. Cent

General No. 46
No. 44 } 1888.89

Report 30/7

39

28

3-5-88

3/5

Report L.R. 35-89-5

Sir,

With reference to your Docket No. 2957 dated 27th March 1888 forwarding copy of endorsement No. 2884 of 27th Idem given to Shanbogue Narasimhia and others of Nadwad Magani Sagar Taluk, I have the honor to state that there appears to be some misconception in the case.

2 The case is not under enquiry by me. It was finally disposed of at the Potgi settlement in May 1886.

3 The last order in the case, No. 135 dated 11th August 1887 was passed by Mr. Tirumalachar, Assistant Commissioner, who is in charge of the Sagar Taluk rejecting the petition of Venkamma, mother of the petitioner Narasimhia.

4 I beg to resubmit the records of the case for the orders of Government.

I have the honor to be
Sir
Your Most Obedt Servt

Sd Madhava Rao
Deputy Commissioner
Shimoga Dt.

V. 85 ~~2~~/4 41

(General Serial No. 31)

188

(6)

From

To The Deputy Commissioner Shimoga Dist.

From the Same &c 124/118 D/4 B.B.

L.K. 35-886

Dated Ootacamund 5th May 1888.

Despatched 18

Received

Enclosures No. 1 + 7 Papers

General No. 1117

No. 30

Sir,

In reply to your No. 46/44 of 26th Ultimo submitting the Ps. connected with the case of Chennu Shankappa, Narasimha Rao & others of Nadiwal village, Sagar taluq, I am directed to forward the petition & the orders on it passed by you on 21st Jany. 1888;

I am to request your explanation, it is evident that the case is pending orders before you:

I have &c
R.V.
for Chief Secretary

[illegible] 5/6

2/H

Sir
Submitted for [illegible]
[illegible]
[illegible]
4/6

[illegible]
11-6-88.

Sir
Submitted
[illegible]
18-6-88

Subd
19/6

L.R. 35 88-9

(General Serial No. 81.)

#2 1888.

1736
7 AUG 89
74
DEWAN OF M

From The Deputy Commissioner
Shimoga District

(7)

To

The Chief Secretary to the Dewan
of Mysore.

Dated 2nd
Despatched } June
Received

Enclosures No. 2

General No. 124
Pl No. 118 } 1888-89.

Sir,

With reference to your letter No. 1/30 dated 1st May 1888 forwarding the vernacular records connected with the case of Petitioners Shanbogue Narasimma and ~~[illegible]~~ of Nadhad Magani, Sagar Taluk, together with a petition from Kadamma alias Gowramma of the Augumbe Magani, Tirthahalli Taluk, with an endorsement thereon, dated 2nd January 1888, issued from this office, I have the honour to state that the endorsement is wrong, and should not have been given. It appears to have been given under the erroneous impression that the dispute referred to is Sidlaghatta Taluk, the Shanbog Patgi settlement of which has not yet been completed. I regret ~~that the~~ the mistake should have occurred.

2. The Patgi of the Karnam Nadivad Magani of the Kolar Taluk under reference was settled in May 1886 as stated in para 2 of my letter No 46/474 dated 26th April 1888.

3. An Amended endorsement has accordingly been given to the Petitioner Kadamma.

I have the honour to be,
Sir
Your most obedt Servt
M. Madhava Rao
Deputy Commissioner

37 [illegible]

No 3.

~~[illegible]~~ 44

(8)

OFFICE OF THE DEWAN OF MYSORE,
Dated 4th April 1889

To

L.R. 35-89-8

The Deputy Commissioner of Shimoga
District.

From the same No 26/25 [illegible]

SIR,

The appeal petition to the Dewan ~~of~~ by Sri [illegible], Shanbhogi [illegible] [illegible] of the Village of ~~~~ of the Hobli of ~~~~ of the Taluk of Sagar in your District will be heard on 21st June 1889 at

returned with this Office Camp No 295 dated 27th March 1888

I am to request you to forward the Proceedings of the case before that date.

I have the honor to be,
Sir,
Your most obedient Servant,

Chief Secretary

Draft
D's order

B 24/4

Reply
3/4

[illegible]

See again / Please
23/4/89

L.R. 3589-89

Petn. [illegible]
24/4/89

P. Meyer for Precis

26-4-89

Precis has already been made, and it is on the file. This record should be sent to the Petitioner's ~~[illegible]~~ report, to be laid before the Dewan on the 27th June /89 on which the case has to be heard

Petition [illegible] for attention
29/4/89

(General Serial No. 29.)

9
p. 90

9
45

1889. 274
APR. 89
27
MYSORE

From
The Deputy Commissioner
Shimoga District
(9)

To
The Chief Secretary to the Dewan
of Mysore.

8/10/89

Dated 8th April 1889

Despatched

Received

Enclosures No. Records

General No. 26

No. 25

Sir,

With reference to your letter No. 3 dated 4th April, I have the honor to forward herewith the Vernacular Proceedings connected with the [illegible] of [illegible], Nidavad Magani, Sagar Taluk, as requested therein.

I have the honor to be
Sir,
Your most obedient servant,

Deputy Commissioner

No. 2884 A 87/11 5 28/46

OFFICE OF THE DEWAN OF MYSORE,

15/13 Septr. 188

(10)

Appellant. Vs. Respondent.

Eeraswamiah (minor) by his adoptive mother and guardian Gurammah.

Gundappah (deceased) represented by his widow Ramakkah.

L.R. 35-89-10

Endorsement. to ~~Appellants~~

In reply to his ______ Petition, dated

Eeraswamiah (minor) by his adoptive mother and Guardian Gurammah

is informed that the division of the village made at the Jodi Settlement has been ordered to be revised according to the original arrangement commenced in 188 which Appellants Guardian Gurammah and Gundappah's widow Ram-akkah now ask may be adhered to. The contention regarding the new appointed Gumastahs, to whom both the parties object, has been referred to the Dy: Commr. for enquiry and disposal.

"Byorder"

(Signed) C. Madiah.

Under Secy:

Copy to Respondent.

"Byorder"

Under Secy:

To

Karaummal, by his
adoptive mother and
guardian Gauramm

Dated 19th September 89.

No 2834 of 87/8.

Informing that the liss
of the village made at the R
Settlement has been ordered to be according to the
originally sanctioned arrange-
-ment of 1881 and that the
contention regarding the newly
appointed Gumastah have been
referred to the Dy Commr.

48

No. 2884 A57/8

OFFICE OF THE DEWAN OF MYSORE,

10/13 Sept. 1859 (12)

Appellant.	Vs.	Respondent.
Narasimmiah (minor) by his adoptive mother and guardian Gurammah.		Gundappah (deceased) represented by his widow Ramakkah.

L. R. 35-89-11

Endorsement to Appellant.

In reply to his Petition, dated

Narasimmiah (minor) by his adoptive mother and guardian Gurammah.

is informed ~~that the division of the village made at the Office of Amildar~~ has been ordered to be carried, according to ~~the original arrangement~~ sanctioned in 1859, which appellant's guardian Gurammah and Gundappah's widow Ramakka have both ~~been~~ agreed ~~to~~. The contention regarding ~~the~~ appointment of Patelship ~~succession~~, to whom ~~the~~ the rights belong, has been transferred to the Dy. Amil: for inquiry and disposal.

"By order"

Under Secy:

R

$\frac{9}{P.90}$

49 ~~H~~

(General Serial No. 30.)

188 9

(13)

From

September 1889

To The Deputy Commissioner
Shimoga District

L.R. 35-87-12

Dated 10th September 89

Despatched

Received

Enclosures No.

General No. 4712
~~3/~~ No. 141

Informing that the division of the villages comprised in [illegible] [illegible] [illegible] of Sagar Taluk, has been ordered to be revised.

and states that ~~the contention~~ as to the newly appointed [illegible] may be dismissed [illegible] ~~has been informed~~ the [illegible]

#50

(13)

Before the Government of *His Highness* the Maharaja of Mysore

Appeal No. 2894 of 1887

Appellant. **Vs.** **Respondent**

Narasimmiah (minor)
by his adoptive mother
and guardian Puttammal

Gundappa (deceased)
represented by his widow
Gangamma.

Decision.

Originally the registered holders of the [illegible] [illegible] Inam of Sagar Taluk were Ramappa and his brother Puttappa. The said Inam comprised 8 villages, namely:

1. Avadi.
2. [illegible]
3. Volgere
4. [illegible]
5. Hebbur
6. Lingapura
7. [illegible]
8. [illegible]

Both the brothers died sonless. Ramappa's daughter Puttammal adopted the present appellant Narasimmiah and Puttappa's daughter [illegible] adopted the Gundappa, the Respondent, who died subsequently to the institution of this appeal and who is now represented by his widow Gangamma.

2. Under an arrangement sanctioned by the Deputy Commissioner in 1851, the first four villages [illegible] were registered in the name of Narasimmiah

and the remaining four in that of Gundappah.
During the Village settlement which took place in
1886, a different distribution was made. Villages No
1 & 2 were allotted to Narainiah and No 5 & 6
to Gundappah. The remaining 3 villages No 3, 7 & 8
were registered in the joint names of both the
Shekdars, and the duties thereof were allowed to
be performed by certain Pannottis, Sanbhogs & [illegible]
The present Appeal by Narainiah is against this
settlement. He contends that two of the villages
which belong to his lot, were wrongly trans-
-ferred to Gundappah, and the widow of the latter
in her petition presented this day, virtually concedes
the justice of the Appellant's contention. The Government
therefore, direct that the division of the villages
made at the Village settlement be revised according
to the original arrangement which allotted [illegible]
Narainiah and Gundappah's widow Pannottis
[illegible] ask may be allowed to.

3. The other ground of Appeal is that new Pan-
-nottis were appointed during Village settlement instead
of allowing those already elected by the latter to
continue to perform the duties. The papers connected
with the Village settlement have not been sent up
with the vernacular proceedings received with the Dy.
Commr's No $\frac{24}{25}$ of 8th April 1889, and the contention
regarding the new Pannottis, to whom [illegible] the
further report, will be referred to the Dy. Commr for
inquiry and disposal.

By order.

No $\frac{4712}{141}$ $\frac{10-9-89}{13}$ 381 Memo Under Secy:

Copy forwarded to the Dy. Commr Shimoga Dist:
returning vernacular proceedings (Symbols)

Under Secy:

52

(General Serial No. 31.)

OFFICE OF THE DEWAN OF MYSORE
5299
5-OCT-89
287

18 89

From The Deputy Commissioner, [illegible] District

(14)

To The Chief Secretary to the ~~Dewan~~ Govt. of Mysore

Dated 28 Sept. 89

Despatched

Received 5/10

Enclosures No. 2 [illegible]

General No. 412

No. 378

Makes observations with reference to the collection of the Govt. [illegible] by H. H. the Maharaja of Mysore in appeal No. 554 of 85. [illegible] Narasimhiah v. Guardian [illegible] [illegible] Chamundamma [illegible] Gundlupet

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Expedite. Copy.

[illegible]

[illegible] in this office D. No. 47/2/141 3-10-89 to [illegible] 20-9-89

12-10-89

12/10

LR 35-89 B

Submitted to ~~the~~ Councillor.

A
11-89

B
11-10-89

53

(13)

~~47~~

Genl. No 412 Da 2[illegible]th
378 [illegible]

Deputy Commissioners Office
Shimoga District
Shimoga, dated 28th
September 1889.

To
The Chief Secretary
to the Government of
Mysore.

Sir.

With reference to the Decision of the Government of His Highness the Maharajah of Mysore in appeal No: 2884 of 1887 (appellant Narasimhia by guardian Gowramma, Respondent Ramakka widow of Gundappa) I beg

respectfully to make
the following observations;
2 The appeal petition
is not before me and
so I am not in a position
to say whether it is
genuine or not, and
as in the original
docket from the Office
of the Dewan I was not
called upon to report
on the appeal petition
and explain the
circumstances under
which a decision
different from that
made in 1881 was
arrived at the [illegible].
I need simply to submit
the papers in the case.
3. The observations made
in the Decision, however,

55 ~~40~~

call for a few words of explanation from me and I beg to submit them.

4 I need not observe that the grouping of villages belonging to a Shanbhogi "hagg" into circles is made by the Superintendent of Revenue Survey and Settlement with reference to the situation of the villages and conveniences of management and also with reference to the Potgi amount assessable on each circle. The villages belonging to one "Haggdar" are not generally included in circles belonging to another, but when from advantages of situation and other considerations above indicated groupings have

been made so as to give
the villages belonging to
~~[illegible]~~ one "Haggadar"
to another in exchange
for some villages of the
latter included in the
circle of the first "Haggadar";
it is usual instead of
disturbing the groupings
made by the Survey
Superintendent after
much consideration,
to ask the different
"Haggadars" if they are
prepared to forego their
claims to their hereditary
villages in consideration
of any gain as regards
the Pagi amount allowed,
or facilities of supervision
or other advantages and
they do not object to
the groupings made to

[illegible]

register their names against each circle agreed to be taken by them. In cases however where the exchanges are glaringly disproportionate, or where the "Haggdars" refused to compromise or where to counterbalance the evil of including the villages of one "Haggdar" in the circle of another, these are not the advantages of situation or the necessities of the Polgi limit, reference has invariably been made to the Superintendent of Survey for a reconsideration of the groupings adopted by him. There are many such cases from Sagar, Nagar, and Tirthalli still pending before the Superintendent of Survey having been referred by me as Potgi Settlement officer of those Taluks.

5. In the present case the 8 villages belonging to the Karnam Mal vak Magni have been made into 3 circles by the Survey Department apparently with the object that the Potgi amount payable on each may not exceed the prescribed limit.

6. The groupings have also been made with due consideration of the convenience of situation. At the time of Potgi settlement Applicant and Respondent were both present as also

them

their respective maternal grand fathers, the [illegible] being also his guardian - Respondent Gundappa, deceased, was of full age at the Settlement and it was with his and the maternal grand fathers full consent that the appointments to the circles were made. Appellant Narasimhia, through his maternal grand father and guardian also gave his consent to the arrangement made at the Potgi It was upon both the "Haggdars" agreeing to the grouping made by the Superintendent of Survey although some of the villages belonging to one "Hagg" were mixed up with the villages belonging to the other ~~that~~ the arrangement made by the Superintendent of Revenue survey was confirmed and the circles allotted to the "Hagglars" as agreed to by them in my presence, and Jamadars appointed to the circles in accordance with the wishes of the "Hagglars".

7. I append extracts from the Poigi Settlement Register both "Kircha" and final, from which it will be seen that the arrangement was made with the full consent of the respective "Hagglars" and that no complaint by them was made about the grouping of the villages.

8. In Connection with the 3rd para of the Decision of the Government I sent for the "Haggdar" Narasimhia and his guardian Chintamani Bhati and questioned them about the new Gumasta. From the deposition recorded by me yesterday and submitted with this report it will be seen that neither Narasimhia nor his guardian know nothing of the petition to the Dewan on which the present Decision is passed. They never asked Gowramma to complain about the arrangement made at the Potgi settlement. They suspect that, all the

present petitioning is due to one Nanappa who was the Zamindar before the Paigi Settlement and who was superseded by the "Haggler" at the Paigi Settlement.

9. As regards the action of Respondent Yamunappa, who in the Decision is said to have initially conceded the propriety of the Appellants contention, I beg respectfully to state that no force can attach to the objection of the widow to an arrangement come to by her husband who at the time of such arrangement was of full age and was actually

the

doing the Shanbhog's work.

10. I may also be allowed to refer to a small error made in the Decision to the effect that Gumasta Sambia and Shámia, had been appointed Gumastas to the circle composed of the three villages Nos: 4. 7 and 8. From Potgi Settlement register (extract herewit submitted) it will be seen that only one Gumasta viz Shámana has been appointed and that with the consent of both the "Heggdars"

11 If after considering the above explanation the Government still consider that the groupings made by

the Superintendent of Revenue Survey should be cancelled that the agreement come to by "Haggdar" Narasimha by his guardian and by ignoring the deceased "Haggdar" at the time of Rozgi settlement should be set aside although Narasimha and his maternal grand father were urged to adhere to the arrangement made at the Rozgi settlement and ignore all knowledge of the petition sent by Government. I shall address the Superintendent of Revenue Survey on the question of making an altered grouping in accordance with the decision of Government.

wit.

41

65 $\frac{A}{5A}$

12. With regard to para 3 of the Decision, I beg to remark that I have appointed only the men that were selected by the respective "Haggdars" and that there has been no attempt to set aside the former Gumastas against the wishes of the "Haggdars". I have not the petitions presented to the Dewan before me. From the tenor of the remarks made in para 3. of the Decision, however, there is only too much reason to infer as surmised by "Haggdar" Narasimhia and his guardian before

me, that the widows have been set up by the late Zamindar to [illegible] to send in these petitions to the Dewan.

3. I beg also to call the attention of Government to the petition alleged to have been presented by Venkamma, the natural mother of Appellant [illegible] and the order No: 435 dated 2d August 1887 passed by [illegible] on it when a similar attempt was made through the natural mother, who was herself however utterly ignorant

of what had been done in her name, to set aside the arrangement made at the Potgi settlement.

14. The vernacular records as per Ferist are herewith submitted

I have the honor to be
Sir
Your most obedt servt.
V. P. Madhava Rao
Dy Commissioner
Shimoga Dt.

Extract from the Kacha Potgi

[illegible]

[illegible]	[illegible]		1864-65 [illegible]	[illegible]				[illegible]
	[illegible]	[illegible]		[illegible]	[illegible]			[illegible]
1	2	3	4	5	6			
[illegible]	[illegible]	[illegible]	[illegible] 82 [illegible] 2 [illegible] 982 [illegible]	43	[illegible]			[illegible]
					118	8	.	48
	[illegible] 82 [illegible] 982 [illegible]	[illegible]	[illegible]	44	-			[illegible] 27 [illegible] 274
					124	8	.	54
	[illegible]	[illegible]		45				[illegible] 19 [illegible] 92
					105	8	.	36
		[illegible]			348	8	.	139

Sheninger Dett
Dy Collr's office
28th Septr 189

Register of Shanbhogs, [illegible] [illegible] [illegible],

[illegible] [illegible] [illegible] 1886 [illegible]

[illegible] [illegible] [illegible] — Notes made by the Revenue Sherustadar in pencil ~~on the time~~ in the Karita Potgi Register at the time of Potgi settlement by the Deputy Commissioner.

Gundappa present. Puttappa, his grand father also present. [illegible] requested by Gundappa to [illegible] confirmed as Shanbhog of [illegible] [illegible] 43. [illegible] [illegible] fit and is doing his work.

13/5.

Narasimiah minor, 10 years [illegible] grand father Chikkanna Patel also present. Narasimiah confirmed and Sambia to be Gumasta for 5 years. 13/5.

The whole of the Karuir [illegible] Vad Magani is now divided into 3 circles between 2 Shanbhogs. These two Shanbhogs were appointed to circles Nos 43 and 44 and there is no Haqdar for this circle (45). [illegible] and Narasimiah have been temporarily registered. Haqdars for this circle [illegible] is to be produced [illegible] [illegible] [illegible] [illegible] morning. [illegible] competent gumasta. — [illegible] [illegible]

"True extract"

M. Madhava Rao

[illegible] Comm[illegible]

[illegible]

Extract from the Punia Potigi Register of Skanbo

	[illegible]		64. 65 [illegible]	[illegible] 16 7 0.	[illegible]		
[illegible]	[illegible]	ಗ್ರಾಮದ ಹೆಸರು			[illegible]	ಗ್ರಾಮದ ಹೆಸರು	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] 82 [illegible] 982 [illegible]	43	118-8-	[illegible] 984. [illegible] 1991 [illegible] 1881 4856.	
	[illegible] 82 [illegible] 982 [illegible]	[illegible]	[illegible]	44	124-8-	[illegible] 2710. [illegible] 2741 5451	
	[illegible]	[illegible]		45	105-8-	[illegible] 1926 [illegible] 799 [illegible] 928 3653	

Shimoga Dist
Dy. Comm's Office
28th Sept. 1911

[illegible]

[illegible]

[illegible]

Gundappa Haqqdar present. Confirmed.

Sd. V. P. Madhava Rao
Dy Commissioner
13.5.86.

Narasimmaiya minor haqdar present. Confirmed and Sambia appointed gumasta for 5 years.

Sd. V. P. Madhava Rao
Dy Commr
13.5.86.

Gundappa and Narasimmaiya appointed joint Haqdars and Shamanna appointed gumasta for 5 years as requested by them.

Sd. V. P. Madhava Rao
Dy Commr
22/5/86.

True Copy

V. P. Madhava Rao

Deputy Commissioner

No 10/6 70

Read letter from the D. C. Shimoga dated 25th Septr 1889 No 472/325 ?

Letter from [illegible] 6341/205 dt 2-11-89 70 GM

From the records of the case it appears that Timmamma the adoptive mother of the minor Narasimhaiya, executed the Petition of Appeal; her Advocate appeared on her behalf, and the [illegible] from her side is the natural guardian of the minor, cannot [illegible] on the ground that the minor and his so called guardian and natural brother ~~[illegible]~~ Chinnamma [illegible] agreed to the arrangement made at the settlement and [illegible] all [illegible] of the Petition [illegible] by Timmamma. The decision already passed must therefore be carried out.

The question of the appointment of guardian should be decided by the Dy. Commr after hearing Timmamma the adoptive mother and proper guardian of the minor Narasimhaiya.

M
Under Secy

To the Dy Commr Shimoga Dt returning ver: papers

Soliciting instructions on certain points connected with the decision of Court in Appeal No 28 of 1888 — Appellant Narasimmaiya vs. [illegible] Rudrappa &c.

L.R. 35-89 14

(General Serial No. 51)

From

1889

16

To The Dy Commr Shimoga

Dated 6th Novr 1889

Despatched

Received

Enclosure No.

Inward No. 6371

No. 208

Confirming the decision already passed in Appeal No. 2884 of 87. Appellant Perasumaal & Respondent [illegible] be dismissed and that [illegible] guardian of the appellant should be cancelled about the appointment of [illegible]